



2025:DHC:4056-DB



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 19.05.2025

+ W.P.(C) 732/2025

STAFF SELECTION COMMISSION (HDQR) & ANR.

.....Petitioners

Through: Dr.B. Ramaswamy, CGSC

versus

PRATAP KALERA

.....Respondent

Through (Appearance not given)

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE RENU BHATNAGAR

NAVIN CHAWLA, J. (ORAL)

CM APPL. 3626/2025 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 732/2025 & CM APPL. 3627/2025

2. This petition has been filed by the petitioners, challenging the Order dated 09.08.2024 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as 'Tribunal') in O.A. No. 3137/2024, titled ***Pratap Kalera v. Staff Selection Commission & Anr.***, whereby the learned Tribunal allowed the said O.A. filed by the respondent herein and directed the petitioners to conduct a Re-Medical Examination of the respondent in accordance with the directions issued by the learned Tribunal in



O.A.594/2024, titled ***Ravina Meena v. Staff Selection Commission & Ors.***, which in turn was based on the order dated 17.07.2023 passed by the learned Tribunal in O.A. No 1889/2023 titled ***Manjeet Dhaka v. Staff Selection Commission & Ors.***

3. The learned counsel for the petitioners submits that in the present case, the respondents had been found ‘unfit’ for appointment to the post of Constable (Executive) (Male) by the Detailed Medical Board Examination (DME), on the ground of being suffering from ‘hypertension’. He submits that even in the Review Medical Examination (RME), the same findings were reiterated. He submits that all the readings in the DME as well as the RME were above normal, indicating that the respondent suffered from ‘hypertension’. He submits that these reports could not have been set aside by the learned Tribunal in a casual manner, thereby directing the petitioners to carry out a re-medical examination of the respondent. He further places reliance on the Judgement of this Court in ***Staff Selection Commission and Ors. v. Vineet Kumar and Ors.***, 2024 SCC OnLine Del 8855.

4. On the other hand, the learned counsel for the respondent submits that the petitioners did not comply with the Guidelines applicable to such medical examination. She submits that the Guidelines for the Review Medical Examination in Central Armed Police Forces and Assam Rifles for GOs and NGOs, as applicable to the Central Armed Police Forces, makes it obligatory for the Medical Board to have the candidate admitted in a hospital, and other tests are also to be carried out to confirm the findings of such readings, before



giving their final opinion. She places reliance on the Judgment of this Court in Staff ***Selection Commission & Ors. v. Mukeem Khan & Anr.***, 2025 SCC online Del 379, in support of her submissions. She submits that no such clinical investigation of the respondent was conducted in the present case before declaring him unfit for appointment.

5. We have considered the submissions made by the learned Counsels for the parties.

6. In the present case, the respondent contends that at the stage of the DME, the blood pressure reading of the respondent was taken only once. The respondent challenged this finding before the RME. The learned counsel for the petitioners submits that the RME, directed the respondent to be admitted to a hospital and his blood pressure reading to be taken three times a day for three days. The record, however, indicates that the said direction was not followed in the present case. Be that as it may, the medical guidelines applicable to the CAPFs require as under:-

“e) For candidates who have been rejected on the ground of hypertension/tachycardia should be admitted/hospitalised by the Board before giving their final opinion regarding the candidate's fitness or otherwise. The hospitalization report should indicate whether the rise in blood pressure is of transient nature due to excitement etc. or whether it is due to any organic disease. In all such cases X -ray and electro-cardiographic examinations of heart and blood examinations like cholesterol/lipid profile, S. Creatinine etc, tests should also be carried out.”



7. Apart from recording the blood pressure, the petitioners were also obliged to carry out certain medical examinations in the form of X-ray, Electro-Cardiographic Examinations of Heart and Blood Examinations like Cholesterol/Lipid Profile, etc., to support their readings and the findings of the candidates suffering from hypertension. Admittedly, these tests were also not carried out. In similar facts, this Court in **Mukeem Khan** (supra), had dismissed the petition against the order of the learned Tribunal which had directed the re-medical examination of the respondent.

8. In **Vineet Kumar** (supra), the respondent therein had also been subjected to a blood examination and his lipid profile was also found to be above normal. Therefore, in view of those facts, the petitioners therein were held to have complied with the Guidelines, and the direction issued by the learned Tribunal was set aside. The said judgment, therefore, would not come to the aid of the petitioners.

9. We, therefore, do not find any merit in the present petition. The same is, accordingly, dismissed. Pending application also stands disposed of.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

MAY 19, 2025/VS

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